

## **Minneapolis City Planning Department Report**

### **Zoning Amendment (Rezoning), Conditional Use Permit Application for Planned Unit Development, Site Plan Review, Street Vacation**

BZZ – 979

**Date:** February 10, 2003

**Date Application Deemed Complete:** January 16, 2003

**End of 60 Day Decision Period:** March 17, 2003

**Applicant:** Kit Richardson

**Address Of Property:** 700-766 North 4<sup>th</sup> Street

**Contact Person And Phone:** Kit Richardson, 359-5841

**Planning Staff And Phone:** Jason Wittenberg, 673-2297

**Ward: 5      Neighborhood Organization:** North Loop

**Existing Zoning:** I2 with the DP (Downtown Parking) Overlay District

**Proposed Zoning:** Adding the IL (Industrial Living) Overlay District to the existing I2 and DP Districts

**Zoning Plate Number:** 13

**Legal Description of Property Proposed for Rezoning:** The land referred to is situated in the State of Minnesota, County of Hennepin, and is described as follows:

Lots 1 to 5 inclusive, except the following portions of said Lots:

The rear 11 feet of said Lots 1, 2, 3;

The rear 11 feet of the Southeasterly 35.22 feet of said Lot 4;

The rear 12 feet of the Northwesterly 15 feet of said Lot 4;

The rear 12 feet of said Lot 5;

All in Block 16, Bradford and Lewis's Addition to Minneapolis.

That part of Lot 6, Block 16, Bradford and Lewis's Addition to Minneapolis lying Southeasterly of a line drawn from a point in the Southwesterly line of said Lot 6, 299.99 feet Northwesterly, measured along said line from the most Southerly corner of said Block 16, to a point in the Southwesterly line of the Northeasterly 12 feet of said Lot at a point 299.99 feet

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Northwesterly from the Southeasterly line of said Block 16, as measured along an extension of said Southwesterly line of the Northeasterly 12 feet of said Lot 6.

**Project Name:** 710 Lofts, 720 Lofts

**Proposed Use:** Multi-phased residential planned unit development. The applicant currently seeks approval for 105 dwelling units, phases I and II of a multi-phased planned unit development.

**Previous Actions:** N/A

**Concurrent Review:** Rezoning, planned unit development, and site plan review, as noted above. A stormwater management plan is required for the project. A TDM plan will be required in conjunction with the future phase III of the project.

**Responses from Utilities and Affected Property Owners for the Proposed Street Vacation:** Staff is waiting for responses from several of the utility companies.

**Appropriate Section(s) of the Zoning Code Authorizing and Requiring the Applications:**

Zoning Amendment: Section 525.260

Planned Unit Development: Section 527.250

Site Plan Review: Section 530.20 and Table 530-1

**Background:** This application was continued from the commission hearing of February 10, 2003. The applicant seeks approval at this time to construct 105 dwelling units as phases I and II of a multi-phased planned unit development. Phases I (51 units) and II (54 units) would include renovation of an existing building as well as new construction. New construction would include construction of a five-story addition at the east end of the existing two-story building located at the corner of 7<sup>th</sup> Avenue North and North 4<sup>th</sup> Street as well as construction of a five-story building (including rooftop deck enclosures). The proposed future phase III building is shown as seven stories. Through the planned unit development application, the applicant seeks to increase the maximum permitted height beyond the four-story (or 56 feet) limitation found in the industrial districts. The rooftop of the phase I building would be approximately 92 feet above grade. The total proposed building area in phases I and II is approximately 197,610 square feet.

The applicant seeks to rezone to add the IL (Industrial Living) Overlay District to the existing site in order to allow construction of dwelling units in the industrial district. IL zoning exists adjacent to the site to the northeast. The applicant seeks a conditional use permit for a planned unit development for the project. The p.u.d. allows flexibility in development projects of at least two acres.

The site is located in the DP (Downtown Parking) Overlay District, which restricts the creation of new surface parking lots in the downtown area. All off-street parking for the project would be located below grade.

Two existing buildings would be razed to allow for construction of the project.

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The applicant has applied to vacate part of the N. 4<sup>th</sup> Street right of way from 7<sup>th</sup> Avenue to 10<sup>th</sup> Avenue. The vacation would include a seven-foot-wide strip of land between the existing public sidewalk and the applicant's existing southwestern property line (as well as along the property line of the Salvation Army parcel).

The Bassett's Creek tunnel is located below the northern corner of the property.

**Findings As Required By The Minneapolis Zoning Code for the Rezoning Application:**

**1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.**

The Minneapolis Plan indicates that the City should increase the number of households living in Minneapolis, and that “(t)he number of households from all walks of life who choose to make Minneapolis their home must continue to grow if the city's neighborhoods are to remain economically, socially and physically vital.”

Planning staff has identified the following policies of the Minneapolis Plan as being relevant to the request to rezone the property to add the Industrial Living Overlay District, which would allow residential construction in the existing industrial district.

*Relevant policy:* **2.2** Minneapolis will support the existing economic base by providing adequate land and infrastructure to make city sites attractive to businesses willing to invest in high job density low impact, light industrial activity.

*Relevant Implementation Steps:*

- Promote light industrial uses as the preferred use of industrial land, but discourage warehouse or distribution uses in areas where truck traffic will negatively impact residential neighborhoods.

*Staff comment:* As noted, industrial uses are generally the preferred use of industrial land in the city. The proposed overlay district rezoning would preserve the site's industrial zoning. Although residential uses are proposed for the site, industrial activity could take place on the site should the residential project not proceed after the property is rezoned.

*Relevant Policy:* **9.32** Minneapolis will promote housing development that supports a variety of housing types at designated Major Housing Sites throughout the city.

*Relevant Implementation Steps:* Concentrate new housing developments in close proximity to amenities or in locations where value will be sustained over time.

*Staff comment:* The North Loop is designated as a Major Housing Site, although the emphasis of the designation is directed closer to the river. The rezoning would allow housing on the parcels

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in question. The site is located near the Mississippi River, downtown, the entertainment district, and major bus routes. Aspects of the site (i.e., the elevated freeway, the waste incinerator) have the potential to counteract the benefits of these amenities.

**2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.**

Some public benefit may be accrued by rezoning to allow increased housing production in an established area in close proximity to downtown and public transit lines.

**3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.**

Surrounding properties are generally used for office and warehouse functions. Residential uses can be compatible with these uses provided the residents understand and accept that they are living amidst a working industrial area. There is an existing Industrial Living Overlay District covering a large area contiguous to the north/northeast parcel in question.

**4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.**

There are reasonable uses for the property under the existing zoning classification. The property in question could accommodate, for example, a variety of office and industrial uses.

**5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.**

Since adoption of a new zoning code in 1999, the North Loop area has continued to evolve as a burgeoning residential area among existing office, industrial, and entertainment uses.

**Findings Required For Planned Unit Developments:**

In addition to the conditional use permit standards contained in Chapter 525, Administration and Enforcement, before approval of a planned unit development the city planning commission also shall find:

**1. That the planned unit development complies with all of the requirements and the intent and purpose of this chapter. In making such determination, the following shall be given primary consideration:**

- a. **The character of the uses in the proposed planned unit development, including in the case of a planned residential development the variety of housing types and their relationship to other site elements and to surrounding development.**

The applicant proposes only residential uses at this time. A variety of unit types are proposed, including two story townhomes, lofts, and efficiency apartments and units containing one, two, or three bedrooms. Most units would have private balconies. A number of ground-level units would offer access to the adjacent public sidewalks and walkways north of the building. Surrounding buildings are primarily used for office and warehouse functions that should prove generally compatible with residential development provided that residents of the proposed development understand that they will be living amidst a working industrial area that includes, for example, truck traffic and loading functions that may operate in early morning hours and obstruct area streets.

- b. **The traffic generation characteristics of the proposed planned unit development in relation to street capacity, provision of vehicle access, parking and loading areas, pedestrian access and availability of transit alternatives.**

The Public Works Department has indicated that a Travel Demand Management (TDM) Plan will be required in conjunction with the city's review of Phase III of the project. The TDM Plan will offer a detailed analysis of the project's impact on the area's transportation infrastructure. Vehicle access to the below grade off-street parking area would take place through a single curb cut along 4<sup>th</sup> Street. The public alley adjacent to the site would remain open at this time and would be used to access an on-site loading area. Pedestrian access to the site would be appropriate insofar as pedestrians could easily access the common entrances from the public sidewalks. The downtown business district, the entertainment district, and the riverfront are among the amenities that are within a reasonable walk of the proposed development. The project is located two blocks from Metro Transit routes 14 and 32. To encourage bicycle use as an alternative to automobile travel, the applicant is encouraged to offer secure indoor bicycle storage for residents as well as at least one outdoor bicycle rack.

- c. **The site amenities of the proposed planned unit development, including the location and functions of open space and the preservation or restoration of the natural environment or historic features.**

Reflecting the area's urban industrial character, the amount of net site area is relatively small. The applicant, however, proposes a 39-foot-wide area between the public alley and the north side of the 720 building (and the future phase III building). The distance between the public alley and the private walkway north of the building is approximately 23 feet, which would accommodate green space as a sort of back yard area. Twelve-foot-high light poles would illuminate the private walkway. The applicant should consider trees and other site amenities that would further justify the regulatory flexibility allowed by the planned unit development. Consistent with the requirement that the planned unit

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development include exemplary treatment of open spaces, the proposed loading area (which appears to also act as a walkway) should be paved with a material having higher aesthetic quality than typical asphalt or concrete. Site amenities within or atop the building would include balconies, decks, and potentially a fitness room.

- d. **The appearance and compatibility of individual buildings and parking areas in the proposed planned unit development to other site elements and to surrounding development, including but not limited to building scale and massing, microclimate effects of the development, and protection of views and corridors.**

The appearance of the proposed structures is compatible with nearby industrial and office buildings. The height and massing are appropriate for residential buildings at this location. Although the buildings nearest the proposed development are one and two stories in height, there are a number of historic buildings within a three-block radius of the site that are between six and eight stories in height. The site would include more green/open area than is typically found on area parcels, which is consistent with the intent of the planned unit development to include on-site amenities. Staff does not believe that the project's height of five and seven stories would alter the character of the area or obstruct important views. Based on the above findings, staff recommends that the planning commission, through this planned unit development application, allow the project to exceed the four-story height limitation of the industrial district.

- e. **The relation of the proposed planned unit development to existing and proposed public facilities, including but not limited to provision for stormwater runoff and storage, and temporary and permanent erosion control.**

The Public Works Department has not indicated concerns about the capacity of the public infrastructure in relation to this project. A stormwater management plan is required for the project, which will be reviewed by the Public Works Department.

2. **That the planned unit development complies with all of the applicable requirements contained in Chapter 598, Land Subdivision Regulations.**

The proposed development would take place on previously platted property. The applicant should be aware that platting of the property to conform to section 598.260 may be required.

**Findings As Required By The Minneapolis Zoning Code For Conditional Use Permits:**

The Minneapolis City Planning Department has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

1. **Will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

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Construction of residential buildings of up to six stories on the site would not prove detrimental to public health, safety, comfort or general welfare provided the development complies with all applicable building codes and life safety ordinances as well as Public Works Department standards.

2. **Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

Provided residents of the development understand that they are living in an industrial area that involves large truck traffic and other reasonable industrial activity, surrounding uses should continue to operate (and may continue to operate in a legal fashion) without incident. Existing and future development of uses allowed in the industrial districts or Industrial Living Overlay District should not be negatively affected by the project.

3. **Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.**

The site is served by existing infrastructure. The Public Works Department will review the project for appropriate drainage and stormwater management as well as to ensure the safety of the position and design of improvements in or over the public right of way. The final plan must indicate all drainage patterns, including roof drains. The Public Works Department has indicated that the private street should be designed so that it would be mistaken for a public street.

4. **Adequate measures have been or will be provided to minimize traffic congestion in the public streets.**

The applicant has informally agreed to a variety of measures to minimize and mitigate the impact that the development would have on traffic congestion. These measures will be formalized when the applicant must provide and TDM plan as part of the project's next phase.

5. **Is consistent with the applicable policies of the comprehensive plan.**

Aspects of the rezoning request's conformance with the Minneapolis Plan, above, are also relevant to the conditional use permit for a planned unit development. In addition, the following policies are relevant to the conditional use permit/p.u.d.:

*Relevant Policy:* **3.2** Minneapolis has adopted Downtown 2010 plan as a component of the city's Comprehensive Plan and envisions downtown Minneapolis in the year 2010 as one of the nation's finest urban centers; a place of prosperity, civilization and civic pride, that will serve as the center for the metropolitan area, the state and surrounding region.

*Relevant Implementation Steps:*

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- Enhance downtown as a special place that offers the finest qualities and experiences associated with cities.
- Maintain downtown as the economic center for the Twin Cities metropolitan area and Upper Midwest region.
- Develop residential areas into neighborhoods that offer a variety of housing types and affordability levels, as well as traditional urban neighborhood qualities and experiences.

*Staff comment:* The proposed project will cater to the market for urban living in the downtown area and, with the other residential projects recently completed or underway, would enhance the downtown economy and contribute to the character of the warehouse district.

*Relevant policy:* **4.9** Minneapolis will implement its adopted Housing Principles and the Housing Impact Measures through community-based strategies directing future housing development.

*Relevant Implementation Steps:*

- *The variety of housing types throughout the city, its communities and the metropolitan area shall be increased, giving prospective buyers and renters greater choice in where they live.*
- Identify and support private sector development for changing housing demographics in markets such as seniors, empty nesters and the physically challenged.
- Develop/provide incentives for placing new housing on transportation corridors.
- Up to 20 percent of the units in new multifamily housing developments should be affordable.
- Develop/provide tax and zoning incentives to developers for infill housing that is well designed, serves several income levels, adds to the tax base and fits the urban environment.
- *The quality of Minneapolis' housing stock shall be improved.*
- Neighborhood livability, including safety, traffic calming, streetscape, green space, retail development and community schools are recognized as vital to housing success.

*Staff comment:* The project would contribute to housing variety in the North Loop and the city. The applicant has indicated a desire to offer for-sale units that are more affordable than other large-scale residential development projects that have been constructed in the vicinity.

6. **And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit, the rezoning request, and site plan review.**



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Staff is unaware of any conflicts between the proposal and the proposed IL Overlay District provided the planning commission makes the (finding recommended by staff) that the proposed five and seven story buildings are appropriate for the site. Note that the proposal labeled by the applicant as phase III will require a variance to reduce the minimum lot area per dwelling unit (in addition to a lot area reduction through the planned unit development).

**Required Findings for Major Site Plan Review**

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)**
- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan. (See Section B Below for Evaluation.)**
- C. The site plan is consistent with applicable development plans or development objectives adopted by the city council. (See Section C Below for Evaluation.)**

**Section A: Conformance with Chapter 530 of Zoning Code**

**BUILDING PLACEMENT AND FAÇADE:**

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building façade shall provide architectural detail and shall contain windows at the ground level or first floor.
- In larger buildings, architectural elements shall be emphasized.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited where visible from a public street or a residence or office residence district.
- Entrances and windows:
  - Residential uses shall be subject to section 530.110 (b) (1).
  - Nonresidential uses shall be subject to section 530.110 (b) (2).

- **Parking Garages:** The exterior design shall ensure that sloped floors do not dominate the appearance of the façade and that vehicles are screened from view. At least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be occupied by commercial uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

*Conformance with above requirements:*

The buildings would reinforce the street wall that is common in the area. The proposed entrances would facilitate pedestrian access by allowing direct routes from the public sidewalk. Generous windows would facilitate natural surveillance.

The buildings would be placed within eight feet of the front lot lines.

Landscaping and patios would be located between the building and the front lot line. The Public Works Department has informed the applicant that encroachment permits will be required for all improvements located in the public right of way. Note that the applicant proposes balconies that extend further into the public right of way along 7<sup>th</sup> Avenue North than would be allowed with an encroachment permit. (Two-foot encroachments are allowed by ordinance with a permit.)

The two buildings proposed at this time would share a common entrance that would face 4<sup>th</sup> Street.

On-site accessory parking facilities will be located below grade.

The buildings would include a good deal of architectural detail and the primary materials would be a mix of brick, stucco, and metal.

Plain face concrete block would not be used as a primary exterior building material.

Staff is somewhat concerned about the extent to which the principal common entrance would be recessed and thus hidden. However, the proposed design largely compensates for this by including a long entrance canopy with bollard lights. Further, a monument sign in the proposed area to be vacated would give an indication of the location of the primary entryway. The applicant should consider further measures to highlight this entrance. Clearly at least 20 percent of the first floor façade facing the street would be windows.

#### **ACCESS AND CIRCULATION:**

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**
- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**

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- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.140 (b).**
- **Areas for snow storage shall be provided unless an acceptable snow removal plan is provided.**
- **Site plans shall minimize the use of impervious surfaces.**

*Conformance with above requirements:*

A clear and well-lighted walkway is proposed from the public sidewalk to the principal common entrance. The parking facility would be accessed internally.

There are no transit shelters on or immediately adjacent to the site.

Vehicular access would take place through one curb cut along North 4<sup>th</sup> Street. The public alley would remain open at this time. The applicant also proposes a private street to align with 8<sup>th</sup> Avenue North, which is subject to Public Works approval. Vehicle/pedestrian conflicts would generally be minimized. However, the close proximity between the end of the stairways on the north side of the phase I building and the public alley may cause an unsafe vehicle/pedestrian conflict. Reconfiguration of these stairways is recommended.

A loading dock would be accessed from the public alley.

Given that the proposed development does not include an open parking lot, the amount of snow to be removed or stored would be minimal.

The site would include more permeable area than is typical in the vicinity and the amount of impervious surface area is generally minimized while meeting other site objectives.

**LANDSCAPING AND SCREENING:**

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
  - **Not less than twenty (20) percent of the site not occupied by buildings shall be landscaped as specified in section 530.150 (a).**
- **Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b).**
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:**
  - **A decorative fence.**
  - **A masonry wall.**
  - **A hedge.**
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.160 (b).**

- **Parking and loading facilities abutting a residence or office residence district or abutting a permitted or conditional residential use shall comply with section 530.160 (c).**
- **The corners of parking lots shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.**
- **Parking lots containing more than two hundred (200) parking spaces: an additional landscaped area not less than one hundred-fifty (150) square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, and shall be landscaped as specified for a required landscaped yard.**
- **All parking lots and driveways shall be defined by a six (6) inch by six (6) inch continuous concrete curb positioned two (2) feet from the boundary of the parking lot, except where the parking lot perimeter is designed to provide on-site retention and filtration of stormwater. In such case the use of wheel stops or discontinuous curbing is permissible. The two (2) feet between the face of the curb and any parking lot boundary shall not be landscaped with plant material, but instead shall be covered with mulch or rock, or be paved.**
- **All other areas not governed by sections 530.150, 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.220.**
- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.60, as provided in section 530.230.**

*Conformance with above requirements:*

The site, including the proposed vacation, would contain 120,150 square feet, according to the applicant's calculations. The site minus the building footprint of phases I and II (approximately 54,154 sq. ft.) consists of 65,996 sq. ft. At least 20 percent of the net site area (13,199 sq. ft.) must be landscaped. The applicant's preliminary landscape plan proposes approximately 22,777 sq. ft. of landscaping (approximately 34.5 percent of the net site area). Note that the applicant's calculation square footage to be landscaped is calculated based on buildout of all phases. The applicant must demonstrate how the phase III area will be treated prior to construction of that building. Upon buildout, the net site area would be approximately 42,084 square feet. Note that some of the plant species abbreviations on the landscape plan are not identified in the plant schedule.

The proposed plan would comply with the required number of trees and shrubs based on the amount of net site area. The applicant intends to preserve existing boulevard trees and plant new trees in the boulevard, which requires a permit from the Park Board.

There are not required landscaped yards since the site would not have parking or loading along a public street and the site is not adjacent to a residential use.

Concrete curbing would be installed along the proposed private drive as well as along the driveway to the off-street parking area.

Turf will cover all areas that are not paved or landscaped.

**ADDITIONAL STANDARDS:**

- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**
- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **Site plans shall minimize the blocking of views of important elements of the city.**
- **Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **Buildings shall be located and arranged to minimize the generation of wind currents at ground level.**
- **Site plans shall include crime prevention design elements as specified in section 530.260.**
- **Site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.**

*Conformance with above requirements:*

The applicant proposes a number of decorative light poles as well as wall-mounted lighting. Lighting must comply with Chapter 535 of the zoning code.

There are no adjacent residential properties that would be affected by headlight glare. Headlights from vehicle exiting the site would be directed toward the elevated highway bridge.

It is not evident that significant views would be blocked by the development.

Since the project is situated largely north of the public sidewalks, shadowing of sidewalks would not be significant.

Wind currents should not be major concern.

The applicant has been encouraged by the Police Department to clearly delineate private versus public spaces and provide adequate lighting for safety purposes.

The applicant proposes to tear down two buildings to make way for the project. Heritage Preservation staff has not raised objections. The site is not located within a designated historic district.

**Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan**

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**ZONING CODE:** The site is zoned I2 and also includes the DP (Downtown Parking) Overlay District. The applicant proposes the IL (Industrial Living) Overlay District in order to allow residential dwelling units on the site. Dwellings in the ILOD require a conditional use permit as indicated in section 551.370 of the zoning code. In this case, the conditional use permit for the planned unit has been selected by the applicant as the application that would allow the proposed dwelling units. Nonetheless, the dwelling units are subject to the standards of section 551.370(1) of the zoning code, as follows:

- a. Supportive housing shall be subject to the requirements of Chapter 536, Specific Development Standards.
- b. Alterations made to the exterior of an existing building shall maintain the architectural integrity and character of the building and surrounding area.
- c. The maximum height of single and two-family dwellings and cluster developments shall be two and one-half stories (2.5) or thirty-five (35) feet, whichever is less.
- d. No vibration, excessive dust, noise, light, glare, smoke, odor, truck traffic or other substance or condition, shall be generated by uses in the building that will have an adverse impact on the residential use of the building.

**Parking and Loading:** The zoning code requires one off-street parking space per dwelling unit. Permitted reductions based on proximity to transit have not been considered since the applicant is proposing to exceed one space per dwelling unit. All parking would be located below grade. In phases I and II, before the commission now, 144 parking underground parking spaces would be constructed. The third phase, to be reviewed by the commission at a future date, would include additional below grade parking. No surface parking is proposed.

**Signs:** Freestanding ground signs are proposed to indicate “710 Lofts” and “720 Lofts” as well as “Resident Parking Only” near the parking access drive.

**Maximum Floor Area:** The maximum F.A.R. in the I2 District is 2.7. The Industrial Living Overlay District does not further restrict F.A.R. for residential uses.

**Minimum Lot Area:** The IL Overlay District requires not less than 900 square feet of lot area per dwelling unit. The applicant currently seeks approval for 105 dwelling units. If the proposed vacation is approved, the lot would have 120,150 square feet. Thus, the applicant currently proposes 1,144 square feet of lot area per dwelling unit. The planning commission may reduce this requirement by up to 20 percent through a planned unit development and by up to 30 percent through a variance. Based on current plans for the phase III, which would include an additional 86 units, the applicant would be providing 629 square feet of lot area per dwelling unit, which would require lot area per dwelling unit reductions through the planned unit development and a variance.

**Height:** Building height in the industrial districts is limited to four stories or 56 feet, whichever is less. The planning commission may grant increases in height through the planned unit development application. Staff recommends that the commission grant the proposed building heights of five and seven stories.

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**Yard Requirements:** Given that the site is not adjacent to a residence or office residence district, no setbacks are required by ordinance as indicated in section 550.160 of the zoning code. Appropriate setbacks of residential buildings in the ILOD are handled through the site plan review and c.u.p./p.u.d. process.

**Specific Development Standards:** None

**Hours of Operation:** Residential uses are not governed by maximum hours of operation.

**Dumpster screening:** The proposed refuse storage containers would be located near the public alley in the phase I building and must be screened consistent with section 535.80 of the zoning code. Refuse storage will take place inside the phase II building.

**MINNEAPOLIS PLAN:** In addition to the relevant policies noted above for the rezoning and planned unit development, the following policies are also relevant the proposed site layout and building forms.

*Relevant Policy:* **9.5** Minneapolis will support the development of residential dwellings of appropriate form and density.

*Relevant Implementation Steps:*

- Promote the development of well designed moderate density residential dwellings adjacent to one or more of the following land use features: Growth Centers, Commercial Corridors, Community Corridors and Activity Centers.
- Expand the understanding of the role that density plays in improving business markets, increasing the feasibility of urban transit systems and encouraging the development of pedestrian-oriented services and open spaces.

*Staff comment:* Staff believes that this relatively high density project would contribute to these objectives.

*Relevant Policy:* **9.12** Minneapolis will promote design solutions for automobile parking facilities that reflect principles of traditional urban form.

*Relevant Implementation Steps:*

- Locate parking lots behind buildings or in the interior of a block to reduce the visual impact of the automobile in mixed use areas.

*Staff comment:* The applicant proposes to locate all on-site parking below grade.

*Relevant Policy:* **9.17** Minneapolis will build on recent initiatives to use Crime Prevention Through Environmental Design (CPTED) principles when designing all projects that impact the public realm, including open spaces and parks, on publicly owned and private land.

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*Relevant Implementation Steps:*

- Integrate “eyes on the street” design principles into site plan review to foster safer and more successful commercial areas in the city.
- Orient new housing to the street to foster safer neighborhoods.
- Encourage private developers to incorporate CPTED-oriented open spaces in new developments to facilitate the creation of spaces that maximize positive behavior from users.

*Staff comment:* The proposed building designs would maximize eyes on the street. The applicant is encouraged to further refine the open space along the public alley to encourage legitimate use of the area by residents.

*Relevant Policy:* **9.32** Minneapolis will promote housing development that supports a variety of housing types at designated Major Housing Sites throughout the city.

*Relevant Implementation Steps:*

- Promote the development of new housing that is compatible with existing development in the area, as well as to existing historic or older housing stock where appropriate.
- Provide the flexibility in the City’s ordinances to accommodate new housing development tailored to meet a range of different housing submarkets.

*Staff comment:* The North Loop contains a Major Housing Site centered closer to the riverfront area. The scale of the buildings would be consistent with many of the nearby historic buildings. The planned unit development offers flexibility from some of the standards of the underlying zoning district.

**Section C: Conformance with Applicable Development Plans or Objectives Adopted by the City Council**

Staff is unaware of any conflict between the proposal and any development plan or objective adopted by the city council.

**Alternative Compliance. The Planning Commission may approve alternatives to any major site plan review requirement upon finding any of the following:**

- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.**
- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**



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- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

**Findings For the Proposed Street Vacation:** As of 2/18/03, Planning Department staff has not received a written indication from the Public Works Department or several private utilities about whether the area proposed for vacation is needed for a public purpose. If responses have been received by the date of the planning commission hearing, a recommendation will be provided.

**CITY PLANNING DEPARTMENT RECOMMENDATIONS:**

**Recommendation Of The City Planning Department for the Rezoning Application:**

The City Planning Department recommends that the City Planning Commission and City Council adopt the above findings and **approve** the application to rezone the property at 700-766 N. 4<sup>th</sup> Street, adding the IL (Industrial Living) Overlay District to the existing I2 District and DP Overlay District.

**Recommendation Of The Minneapolis City Planning Department for the Planned Unit Development:**

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use permit for a planned unit development for 105 dwelling units up to seven (7) stories in height, phases I and II of a multi-phased planned unit development located at 700-766 N. 4<sup>th</sup> Street, subject to the following condition:

- 1) The loading area shall be paved with stamped concrete, brick, cement pavers or similar material offering greater aesthetic value than asphalt or plain concrete.

**Recommendation of the City Planning Department for the Site Plan Review Application:**

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for 105 dwelling units as part of planned unit development at 700-766 N. 4<sup>th</sup> Street, subject to the following conditions:

- 1) The applicant shall obtain an encroachment permit for all improvements in the public right of way.
- 2) A stormwater management plan shall be reviewed and approved by the Public Works Department.
- 3) The Planning Department shall review and approve the final site and landscape plans.
- 4) If improvements required by Site Plan Review exceed two thousand (2000) dollars, the applicant shall submit a performance bond in the amount of 125 percent of the estimated site improvement costs prior to obtaining permits for site improvements or the permit may be revoked for non-compliance.
- 5) Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by February 24, 2005, or the permit may be revoked for non-compliance.

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**Recommendation Of The City Planning Department for the Street Vacation:**

The City Planning Department has **no recommendation** regarding the proposed street vacation until responses are received from the Public Works Department and private utility companies.